

REMARKS

The Office Action dated December 13, 2004 has been carefully considered. In the Office Action, claims 1-25 were rejected as anticipated by Huehner et al. By way of this amendment, claims 1-25 have been canceled without prejudice in favor of new claims 26-42, which remain in the present patent application. Applicant respectfully requests reconsideration and reexamination of the claims in view of the foregoing amendments and the following remarks.

First, with respect to the claims, applicant has voluntarily amended the claims for the purposes of providing different and more comprehensive coverage of the subject invention. The first group of claims are directed at a combination of a lock bar assembly with a row of peg hooks while the second group of claims are directed at a lock bar assembly. Except as explicitly indicated below in these remarks, none of the distinctions or differences in the claim's language are made for purposes of patentability or overcoming a rejection.

Turning then to the sole novelty rejection, it is noted that this rejection is technically moot by virtue of the cancellation of claims 1-25 and in view of the fact that new claims 26-42 have been added and remain in the application. However, it will be noted out that there are certain deficiencies in Huehner et al. which will be discussed herein. First, it is noted that the Office Action takes a relatively superficial reading of Huehner et al. In particular, the Examiner has asserted that the product retainer of Huehner includes a security rod 62 and an upper security bar 60. This is confusing the peg hook with the lock bar. In fact, there is only one such peg hook disclosed in Huehner et al. for retaining merchandise, that being bar or rod 62 on which merchandise is shown to be held as shown in FIG. 14. The security mechanism of Huehner et al. is limited to a single security device dedicated to a single peg hook, not a row of peg hooks, which is hence a significant distinction when applied to the present invention. In particular, claim 26 as written recites a row of peg hooks (e.g. two or more peg hooks) which are disposed in lateral relation between the sides of a lock bar assembly, and that each product retainer arm of such peg hook is trapped by the product retainer. Thus, the distinction of the present invention is that a single product retainer can be applied to multiple different product arms of different peg hooks as set forth in claim 26. This is not taught or disclosed by Huehner et al. and accordingly, the Huehner et al. reference does not seem to be pertinent.

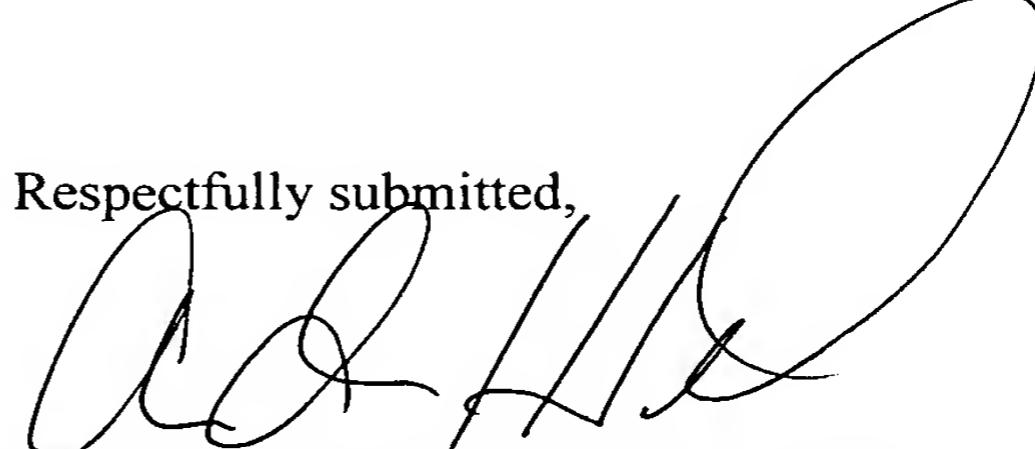
With reference to New Claim 37, which recites a lock bar assembly, this claim recites a pair of sides which are disposed in lateral space relation and that each side has a mounting

hook, and further that the product retainer, which includes upper and lower security bars, extends in lateral space relation between the respective sides. According to the rationale set forth in the Office Action, the product retainer (which comprises lower security rod 62 and upper security bar 60 as set forth at page 2 of the Office Action) would extend laterally between elements 26 and 64 (which would then correspond to the opposed sides according the superficial interpretation of this reference). According to this superficial reading, then the locking member 64 as shown for example in FIG. 1 of Huehner et al. would therefore have to be one of the sides which is disposed in lateral relation, but structure 64 does not have a mounting hook such that it can in no way be considered to be a side having a mounting hook that is adapted to mount to the vertical support as recited in claim 37. Since the superficial reading cannot support obviousness rejections, Huehner et al. does not seem relevant to Claim 37 and its dependents either.

CONCLUSION

This belief that the claims are in good and proper form is now presented and applicant therefore respectfully requests a Notice of Allowance be forthcoming from the Patent Office and any and all rejections revoked.

Respectfully submitted,



Andrew J. Heinisch, Reg. No. 43666
LEYDIG, VOIT & MAYER, LTD.
6815 Weaver Road
Suite 300
Rockford, Illinois 61114-8018
(815) 963-7661 (telephone)
(815) 963-7664 (facsimile)

Date: April 27, 2005